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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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MALIN HALEY AND DIMAGGIO, PA
1936 S ANDREWS AVENUE
FORT LAUDERDALE, FL 33316

EXAMINER	
PAIK, STEVE S	
ART UNIT	PAPER NUMBER
2876	

DATE MAILED: 11/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/604,215	MCCARTNEY, JAMES I.	
	Examiner	Art Unit	
	Steven S. Paik	2876	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *23 August 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,2,4,7-10 and 12-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,2,4,7-10 and 12-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *01 July 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on August 23, 2005 has been entered.

Response to Amendment

2. Receipt is acknowledged of the Amendment filed July 25, 2005. The amendment includes amended claims 1, 2, 4, 7, 8, and 15.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1, 2, 4, and 7-10 and 15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baker et al. (US 5,862,243) in view of Bernardo et al. (US 5,758,574).

Re claims 1, 2, 7 and 15, Baker discloses a system (mail piece barcode evaluation station 10) and method for evaluating bar code quality on mail pieces (Abstract). The system comprises an optical detector (imaging device 32; col. 3, ll. 42-48) for obtaining an image of the mail piece information, a mail piece mover (transport system 25) for moving bulk mail including the mail piece (mail piece 34) through the system (10), and

means for comparing (processor 50; col. 5, ll. 38-49) the bar code image with a database (barcode requirement data 52 and Look-up Table LUT 54) for detecting bar code errors concerning the mail piece bar code information, wherein the mail piece information includes a bar code (Figs 3-5) and database (barcode requirements data 52) comprises a data set of post office physical specification, where the post office specifications include specifications regarding the legibility of bar codes (col. 5, ll. 38-48; col. 7, ll. 23-45), means for generating a sampling error report (col. 5, ll. 49-63), and certification of the sampling comparisons (col. 6, ll. 33-55) and error rate for all functions (col. 3, line 63 – col. 4, line 7) based upon the sampling error report.

However, Baker is silent about a database including names and addresses to be printed on mail pieces.

Bernardo states that postal office mail sorting operations increasingly use automated, computer-controlled machines for recognizing machine-readable destination codes printed on mail envelopes (mail pieces) and controlling the sorting of mail into groups to be delivered to areas of common destination (e.g., "Zip") codes. For high-speed sorting, printed bar codes are universally used because they can be readily recognized by machine reading with a high degree of reliability. The postal offices typically offer incentives of reduced postal rates for mail that has the destination bar codes printed on them. To take advantage of the rate incentives, senders of bulk or volume mail utilize automated addressing machine which access an electronic **address database** for printing each addressee's (name) address including the Zip code on the envelope, together with the destination bar code corresponding to the Zip code. As disclosed above, the process of printing the name, address and postnet code on mail

pieces based on electronic address database would be financially beneficial to a mailer and reduce the time takes to sort the bulk mail at the USPS.

Therefore, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to have incorporated a printer printing an addressee's address including the Zip code, as taught by Bernardo, prior to feeding the bulk mail pieces into the system of Baker for the purpose of gaining financial benefit and reducing the processing time of the bulk mail at the post office.

Re claim 4, Baker in view of Bernardo discloses the system as recited in rejected claim 1 stated above, wherein the database further comprises an updated residency database (col. 1, ll. 14-31 of Bernardo).

Re claims 8 and 10, Baker discloses a system (mail piece barcode evaluation station 10) and method for sampling bar code errors in a piece of mail (340). The method comprises the steps of:

obtaining bar code data (via an imaging device 32) associated with a piece of mail (34);

performing (processor 50) an error detection check on the mail piece bar code data, where the step of performing an error detection check includes the additional steps of comparing the optically captured image to post office bar code specification (barcode requirements data 52); and

comparing the optical bar code image to the bar code information intended to be printed on the piece of mail (based on the barcode requirements data 52 and LUT 54);

generating an error sampling report (Fig. 5 shows one type of barcode readability report 700) including an error rate (Fig. 5 shows an example of a report showing the read

rate (93.9%; the error rate then becomes 6.1% in the exemplary report) relating to the step of performing bar code error detection check; and

certifying the steps of comparing (col. 6, ll. 33-55) and error rate for all functions (col. 3, line 63 – col. 4, line 7).

However, Baker is silent about a step of providing a database including names and addresses to be printed on mail pieces.

Bernardo states that postal office mail sorting operations increasingly use automated, computer-controlled machines for recognizing machine-readable destination codes printed on mail envelopes (mail pieces) and controlling the sorting of mail into groups to be delivered to areas of common destination (e.g., "Zip") codes. For high-speed sorting, printed bar codes are universally used because they can be readily recognized by machine reading with a high degree of reliability. The postal offices typically offer incentives of reduced postal rates for mail that has the destination bar codes printed on them. To take advantage of the rate incentives, senders of bulk or volume mail utilize automated addressing machine which access an electronic address database for printing each addressee's (name) address including the Zip code on the envelope, together with the destination bar code corresponding to the Zip code. As disclosed above, the process of printing the name, address and postnet code on mail pieces based on electronic address database would be financially beneficial to a mailer and reduce the time takes to sort the bulk mail at the USPS.

Therefore, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to have incorporated a printer printing an addressee's address including the Zip code, as taught by Bernardo, prior to feeding the

bulk mail pieces into the system of Baker for the purpose of gaining financial benefit and reducing the processing time of the bulk mail at the post office.

Re claim 9, Baker in view of Bernardo discloses the method as recited in rejected claim 8 stated above, wherein the error detection report (700) allows the user of the method to bypass at least a portion of the post office mail piece error detection methods (Figure 5 discloses that Errors are in capitals, warnings in lower case and any error or 5 warnings fail the piece. This shows that a mail piece with warnings less than 5 can be processed and bypass a portion of the mail piece.).

Re claim 16, Baker in view of Bernardo discloses the system as recited in rejected claim 15 stated above, wherein the second database includes post office physical specifications (52; the requirements data 52 includes parameters to comparatively identify a variety of barcode defect states and evaluate severity of a given type of defect).

Re claim 17, Baker discloses in view of Bernardo the system as recited in rejected claim 15 stated above, wherein the second database (Look-up Table 54) includes updated residency information from the post office.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over in view of Baker et al. (US 5,862,243) as modified by Bernardo et al. (US 5,758,574) as applied to claim 8 above, and further in view of Ohkawa et al. (US 6,462,880).

Re claims 12-14, the teachings of Baker in view of Bernardo et al. have been discussed above.

Neither Baker nor Bernardo explicitly disclose an audible alarm for indicating failure of an error detection check of mail pieces.

Ohkawa discloses a barcode reader provided with an indicator such as LED for informing the operator of the fact that the bar code cannot be read, a speaker for producing alarm sound, etc. The alert message or sound reminds the operator to take a proper action to appropriately correct the barcodes with an error.

In view of Ohkawa, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to further employ an audible alarm in addition to the system for evaluating bar code quality on mail pieces of Baker as modified by Bernardo due to the fact that more bar code data can be accurately processed for the purpose of increasing efficiency with barcode reading.

7. Claims 18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over in view of Baker et al. (US 5,862,243) as modified by Bernardo et al. (US 5,758,574) as applied to claim 8 above, and further in view of Dickson et al. (US 6,158, 659).

Re claims 18 and 19, the teachings of Baker in view of Bernardo et al. have been discussed above.

Baker and Bernardo are silent about a strobe light for illuminating the pieces of mail and having a variable frequency strobe.

Dickson discloses a laser scanning system laser scanning system shown in FIGS. 45A and 45B; a high-intensity two-color strobe light subsystem 200 and a two-pitch loudspeaker subsystem 201 interfaced with system controller 42, for informing an operator that the system has successfully read (i.e., identified) a bar-coded package moving along its high-speed conveyor belt; and a bar code presence detection subsystem. It is necessary for a scanning device to include a light-emitting element. The two-color strobe light subsystem provides a user with variable frequencies for accurate readings of bar-coded data.

Therefore, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to have incorporated the high intensity two-color strobe light subsystem as taught by Dickson into the teachings of Baker as modified by Bernardo for the purpose of reading barcode information with lower error rates.

8. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over in view of Baker et al. (US 5,862,243) as modified by Bernardo et al. (US 5,758,574) as applied to claim 8 above, and further in view of Moore (US 5,452,203).

Re claim 20, the teachings of Baker in view of Bernardo et al. have been discussed above.

However, Baker and Bernardo fail to disclose the claimed step of reprinting the correct information on a new mail piece.

Moore discloses an apparatus and method for correcting customer address lists. Moore further discloses that aside from the customer satisfaction benefits which accrue to the business community users of such databases, as a result of avoiding slowed or failed deliveries of mail due to improper addressing, the U.S. Postal Service offers a **monetary incentive** to mailers who include the **correct** zip-plus-four code for a given mailing address on each letter mailpiece of a predetermined minimum number of letter mailpieces, known in the art as batch of mail, and a further monetary incentive to mailers who **additionally print the correct bar code** equivalent of the mailing address in an approved location on each of such letter mailpieces. The teaching obviously and fairly suggests reprinting the correct information on a piece of mail to receive monetary incentive from the USPS.

Therefore, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to generate a mail piece with correct bar code equivalent of the mailing address as taught by Moore into the teachings of Baker as modified by Bernardo for the purpose of reducing cost involved with a batch mailing process.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven S. Paik whose telephone number is 571-272-2404. The examiner can normally be reached on Monday - Friday 5:30a-2:00p (Maxi-Flex*).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on 571-272-2398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Steven S. Paik
Primary Examiner
Art Unit 2876

ssp